

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION

ORDER NO. 79-135

ORDER REQUIRING THE CITY OF ST. HELENA TO CEASE
AND DESIST FROM DISCHARGING WASTE CONTRARY TO
REQUIREMENTS PRESCRIBED BY THE CALIFORNIA REGIONAL
WATER QUALITY CONTROL BOARD, SAN FRANCISCO BAY
REGION, AND RESCINDING ORDER NOS. 76-16 and 79-82

The California Regional Water Quality Control Board, San Francisco Bay Region,
(hereinafter Board) finds that:

- A. On November 19, 1974, the Regional Board adopted Order No. 74-140, prescribing discharge requirements covering the discharge of the City of St. Helena (hereinafter discharger).
- B. On February 17, 1976, the Board adopted Order No. 76-16 requiring the discharger to cease and desist discharging waste in violation of requirements.
- C. On July 17, 1979, the Board adopted Order No. 79-82 amending Cease and Desist Order No. 76-16 to extend the compliance time schedule.
- D. On August 20, 1979, the discharger filed a report of waste discharge that proposed total reclamation of the wastewater for irrigation of fodder, fiber and seed crops. However, wastewater discharge to the Napa River will continue while land and facilities for reclamation are being secured.
- E. On October 16, 1979, the Board adopted Order No. **79-134** prescribing requirements covering the continued discharge to the Napa River and rescinded Order No. 74-140.
- F. Order No. **79-134** states:

"A. Discharge Prohibitions

- 1. This wastewater discharge to the Napa River is prohibited.

...

C. Receiving Water Limitations

...

- 4. The discharge shall not cause a violation of any applicable water quality standard for receiving waters adopted by the Board or the State Water Resources Control Board as required by the Federal Water Pollution Control Act and regulations adopted thereunder. If more stringent applicable water quality standards are promulgated or approved pursuant to Section 303 of the Federal Water Pollution Control Act, or amendments thereto, the Board will revise and modify this Order in accordance with such more stringent standards."

- G. Inspection by Board staff and reports from the discharger indicate that the discharger is violating or threatens to violate the requirements listed in finding F of this Order.
- H. By letters dated June 26, 1975, and August 12, 1975, the Regional Board notified the discharger of the violation of requirements and requested immediate action to eliminate such violation.
- I. On October 16, 1979, at a meeting starting at 9:30 a.m. in the Assembly Room, State Building, 1111 Jackson Street, Oakland, after due notice to the discharger, and all other affected persons, the Regional Board conducted a public hearing at which the discharger appeared and evidence was received concerning the discharge.
- J. The discharger is violating or threatening to violate requirements listed in finding F of this Order.

IT IS HEREBY ORDERED THAT:

- A. The discharger cease and desist from discharging wastes contrary to requirements listed in finding F of this Order.
- B. Compliance with Prohibition A.1. and Receiving Water Limitation C.4. of the Board's Order No. 79-134 shall be completed in accord with the following schedule:

<u>Task</u>	<u>Completion Date</u>
Begin Design	November 1, 1979
Submit Plans and Specifications	June 1, 1980
Award contract	September 2, 1980
Complete Construction	September 1, 1981
Full Compliance	October 1, 1981

- C. The discharger is required to provide to the Board by December 15, 1979, and quarterly thereafter, a report, under penalty of perjury, on progress toward compliance with the provisions of this order.
- D. If, in the determination of the Executive Officer, the discharger fails to comply with the provisions of this Order, the Executive Officer is authorized to take the following action after approval of the Board Chairman:
 - . request the Attorney General to take the appropriate enforcement action against the discharger, including injunction and civil monetary remedies, if appropriate; and/or
 - . schedule a hearing for the Board to consider whether to restrict or prohibit the volume, type, or concentration of waste that may be added to the sewer system.

E. If the Executive Officer determines that the provisions of this Order are violated and does not refer the matter to the Attorney General or schedule a hearing to consider a restriction on additional discharges to the sewer system, he is instructed to report to the Board the reasons that the discharger has been unable to comply with the provisions of this Order.

F. Order Nos. 76-16 and 79-82 are rescinded.

I, Fred H. Dierker, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, San Francisco Bay Region, on **October 16, 1979.**

FRED H. DIENKER
Executive Officer